

**UNITED STATES BANKRUPTCY COURT**  
Eastern District of Virginia

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on September 17, 2008.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. Electronically filed documents may be viewed on Court's web site, [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov). Computer access available in Clerk's Office at address shown below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side For Important Explanations.**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Bradley Keith Swearngin  
808 Oriole Drive  
Virginia Beach, VA 23451

Case Number: 08-73135-SCS  
Office Code: 2

Social Security/Taxpayer ID/Employer ID/Other Nos.:  
xxx-xx-1477

Attorney for Debtor(s) (name and address):

Edrie A. Pfeiffer  
Garfinkel and Pfeiffer, P. C.  
2624 Southern Boulevard, Suite 101  
Virginia Beach, VA 23452  
Telephone number: (757) 340-3100

Bankruptcy Trustee (name and address):

Charles L. Marcus  
Marcus, Crowley & Liberatore, P.C.  
1435 Crossways Boulevard, Suite 300  
Chesapeake, VA 23320  
Telephone number: 757-333-4508

**Meeting of Creditors:**

Date: **October 21, 2008**

Time: **10:00 AM**

Location: **Office of the U.S. Trustee, 200 Granby Street, Room 120, Norfolk, VA 23510**

**Presumption of Abuse under 11 U.S.C. § 707(b)**

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:**  
**December 22, 2008**

**Deadline to Object to Exemptions:**

Thirty (30) days after the *conclusion* of the meeting of creditors.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Address of the Bankruptcy Clerk's Office:**  
600 Granby St., Room 400  
Norfolk, VA 23510

**For the Court:**

Clerk of the Bankruptcy Court:  
William C. Redden

**VCIS 24-hour case information:**  
Toll Free 1-800-326-5879

Date: September 18, 2008

## EXPLANATIONS

B9A (Official Form 9A) (12/07)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any document that you file in this bankruptcy case should be filed either electronically, or with the Clerk's Office in Norfolk. You may view electronically filed documents, including list of debtor's property and debts and list of property claimed exempt, on Clerk's web site, <a href="http://www.vaeb.uscourts.gov">www.vaeb.uscourts.gov</a> , or at Clerk's office in Norfolk. See address on front side of this notice.

### -- Refer to Other Side for Important Deadlines and Notices --

**LOCAL RULE DISMISSAL WARNING:** Case may be dismissed for failure to timely file lists, schedules and statements, or to attend meeting of creditors. (Local Bankruptcy Rules 1007-1, 1007-3, and 2003-1.) Trustee may at the meeting give notice of intention to abandon property burdensome or of inconsequential value or intent to sell nonexempt property that has an aggregate gross value less than \$2,500. Objections thereto must be filed pursuant to Local Bankruptcy Rules 6004-2 and 6007-1.

**PHOTOCOPIES:** May be obtained by contacting Creative Assistant at (757) 624-9990 or by fax at (757) 624-9998.

#### **PAYMENT OF FEES FOR NEWPORT NEWS CASE AND ADVERSARY FILINGS AND MISCELLANEOUS REQUESTS:**

**Newport News:** non-debtor's check, money order, cashier's check or any authorized non-debtor's credit card; for security reasons, no cash accepted at Newport News location.

**Norfolk:** same as above; however cash is accepted.

*Electronic bankruptcy notices are delivered faster than the U.S. Mail if you have a PC with Internet connection or a Fax machine. For more information, go to <http://vaeb.uscourts.gov/ebn/index.htm> or call, toll free: 877-837-3424. Case/docket information available on Internet @ [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov)*

Bankruptcy Noticing Center  
2525 Network Place, 3rd Floor  
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 0422-8  
Case: 08-73135

User: davism  
Form ID: B9A

Page 1 of 1  
Total Served: 23

Date Rcvd: Sep 18, 2008

The following entities were served by first class mail on Sep 20, 2008.

db +Bradley Keith Swearngin, 808 Oriole Drive, Virginia Beach, VA 23451-4928  
aty +Edrie A. Pfeiffer, Garfinkel and Pfeiffer, P. C., 2624 Southern Boulevard, Suite 101,  
Virginia Beach, VA 23452-7433  
tr +Charles L. Marcus, Marcus, Crowley & Liberatore, P.C., 1435 Crossways Boulevard, Suite 300,  
Chesapeake, VA 23320-2896  
8471166 +1st Advantage Fcu, P O Box 2116, Newport News, VA 23609-0116  
8471167 +ADI, 263 Old Country Rd, Melville, NY 11747-2712  
8471169 AT&T Cellular, P. O. Box 8229, Aurora, IL 60572-8229  
8471171 +Capital Lighting & Supply, 1901 N. Hamilton St, Richmond, VA 23230-4101  
8471173 +City of Portsmouth, City Treasurer, P. O. Box 85662, Richmond, VA 23285-5662  
8471174 Commercial Recovery Sys, 8035 E RL Thornton, Ste 220, Dallas, TX 75357-0909  
8471175 +Darren Roop, 509 23rd Street, Virginia Beach, VA 23451-4005  
8471176 +Fbcs, 2200 Byberry Rd Ste 120, Hatboro, PA 19040-3797  
8471177 +G M A C, P O Box 2150, Greeley, CO 80632-2150  
8471178 +NCO Financial Systems, 507 Prudential Rd, Horsham, PA 19044-2368  
8471165 +Office of the U.S. Trustee, Federal Building Room 625, 200 Granby Mall,  
Norfolk, VA 23510-1811  
8471179 +Paul Brown, 3570 Whitemarsh Road, Suffolk, VA 23434-7831  
8471180 +Pregressive Insurance Co, c/o Credit Collections Svcs, Two Wells Ave., Dept 1934,  
Newton Center, MA 02459-3208  
8471181 RCS Equipment Rental, c/o Jack R Creel & Assoc, PO Box 801083, Houston, TX 77280-1083  
8471182 +Texaco / Citibank, Attn.: Centralized Bankruptcy, Po Box 20507, Kansas City, MO 64195-0507  
8471183 +Texaco/Citibank, P. O. Box 5687, Wilmington, DE 19808-5687

The following entities were served by electronic transmission on Sep 19, 2008.

8471168 +EDI: BECKLEE.COM Sep 19 2008 03:18:00 American Express, c/o Becket and Lee, Po Box 3001,  
Malvern, PA 19355-0701  
8471170 +EDI: BANKAMER.COM Sep 19 2008 03:18:00 Bank of America, Attn: Bkrptcy Dept NC4-105-03-14,  
Po Box 26012, Greensboro, NC 27420-6012  
8471172 +EDI: CHASE.COM Sep 19 2008 03:18:00 Chase Manhattan, Attn: Bankruptcy Research Dept,  
3415 Vision Dr, Columbus, OH 43219-6009  
8471184 +EDI: USAA.COM Sep 19 2008 03:18:00 Usaa Savings Bank, 10750 Mcdermott Fwy,  
San Antonio, TX 78288-1600

TOTAL: 4

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 20, 2008

Signature:

